

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Civil Action No. 04 11598WGY

HARVEY STEWART
Plaintiff

v.

ANTHONY J. PRINCIPI, SECRETARY,
UNITED STATES DEPARTMENT OF
VETERANS AFFAIRS
Defendant

**ASSENTED TO MOTION TO CONTINUE THE ALTERNATIVE DISPUTE
RESOLUTION HEARING**

Now comes the Plaintiff, Harvey Stewart, with the assent of the Defendant, Anthony J. Principi, Secretary, United States Department of Veterans Affairs, and hereby moves the Court to continue to continue the Alternative Dispute Resolution Hearing in the above-captioned matter to May 25, 2005 at 10:00 A.M. As good cause therefor, the Plaintiff, Harvey Stewart, states that he will be out of state on May 16, 2005, the date originally scheduled for the Alternative Dispute Resolution Hearing. In accordance with Local Rule 7.1(a)(2), the undersigned conferred with Defendant's counsel and the Defendant assents to this request and the relief sought herein.

WHEREFORE, the parties request that this motion be granted and that the Alternative Dispute Resolution Hearing be rescheduled to May 25, 2005 at 10:00 A.M.

Respectfully submitted,

HARVEY STEWART,
By his Attorney,

/s/ Scott W. Lang

Scott W. Lang, Esquire BBO #285720
Lang, Xifaras & Bullard
115 Orchard Street
New Bedford, MA 02740
(508) 992-1270

Dated: April 22, 2005

Assented to by:

ANTHONY J. PRINCIPI, SECRETARY,
UNITED STATES DEPARTMENT OF
VETERANS AFFAIRS,
By his Attorney,

/s/ Barbara Healy Smith

Barbara Healy Smith
Assistant U.S. Attorney
John Joseph Moakley U.S. Courthouse
1 Courthouse Way, Suite 9200
Boston, MA 02210
(617) 748-3263

Dated: April 22, 2005

CERTIFICATION OF COMPLIANCE WITH LOCAL RULE 7.1(a)(2)

Pursuant to Local Rule 7.1(a)(2), the undersigned counsel certifies that on April 21, 2005, his associate, Attorney Jennifer Davis, conferred with Defendant's counsel regarding the grounds for and relief requested by this motion and the Defendant assents to both.

/s/ Scott W. Lang

Scott W. Lang, Esquire